
STAFF COMMENTS FOR PLANNING COMMISSION

MEETING DATE: April 19, 2006

SITE PLAN: **AFP-05-014**

TITLE: Bucheimer Residence

REQUEST: **AMENDMENT TO FINAL PLAN APPROVAL**
For New Two-Car Garage

ADDRESS: 116 James Street

ZONE: R-90

APPLICANT/REPRESENTATIVE/ATTORNEY/DEVELOPER: (as applicable)

Applicant: Michael Bucheimer & Christine Donati

STAFF PERSON: Patricia Patula

Enclosures:

Staff Comments

- Exhibit 1: Application
- Exhibit 2: Location Map
- Exhibit 3: Lots/Buildings Layout
- Exhibit 4: Site Plan
- Exhibit 5: Front (East) Elevation of Proposed Garage
- Exhibit 6: South Elevation
- Exhibit 7: North Elevation
- Exhibit 8: Rear (West) Elevation
- Exhibit 9: Construction Detail
- Exhibit 10: Interior Layout
- Exhibit 11: Photographs of Main House provided by Applicant
- Exhibit 12: Photographs of other Garages in Neighborhood provided by Applicant
- Exhibit 13: Excerpt Sec. 24-163 Accessory Structures
- Exhibit 14: Minutes of HPAC meeting of April 7, 2005
- Exhibit 15: Draft Minutes of HPAC Meeting of April 6, 2006
- Exhibit 16: Mailing List
- Exhibit 17: E-mail from Burton Nicodemus to staff dated April 12, 2006

STAFF COMMENTS

Request. The applicants are requesting to build a two-car garage in the rear of their property at 116 James Street, located in Observatory Heights. This is being brought to the Planning Commission because the requested size exceeds that allowed by right in the City Code, Section 24-163(b) (Exhibit 13).

Background and HPAC Reviews. In 2005, the applicant filed an application for a garage that was two stories high with exterior stairs accessing the second story. Due to the modest size of the main house, storage space is at a premium and the upper level of the garage is planned for storage.

The applicant came to HPAC for a courtesy review because the new construction is in a proposed future historic district. (These types of courtesy reviews are being done at the request of the Planning Commission to assist in developing compatible new construction in the non-designated historic areas.) The HPAC gave suggestions (Exhibit 14), and Mr. Bucheimer returned with revisions, which HPAC reviewed on April 6, 2006. The Committee's suggestions were to coordinate the roof overhang of the dormers with the same style as on the main house and to add a return-type trim on the eaves or a bandboard. The applicant has incorporated these suggestions into his design. The HPAC supports the application finding the proposed garage in architectural compatibility with the main house and neighborhood.

Garage Elements. The garage is proposed to be 26' wide by 24' deep, or 624 square feet, which is 48 square feet over that permitted by right. It is 16.6' high to the mean height point and 22.6' to the actual highest point of the roof. The code height limit for this type of accessory structure is 15'. Per Section 24-163(b) of the Zoning Ordinance (accessory structures), the Planning Commission may approve larger buildings. This is done in conformance with Section 24-170 of the Code--general conditions for approval, namely, compatibility and contributing to the general welfare of the neighborhood.

The garage will coordinate with the one-story main house in color and materials. It will be clad in vinyl siding, with asbestos shingle roofing, wood and vinyl trim, plastic shutters to match the house, metal garage doors, and vinyl windows. Interior stairs will provide access to the storage area.

Site Plan. The garage will be placed 15' from the rear lot line and 3' from the side lot line. Since this older neighborhood has the pattern of garages placed on lot lines or a few feet away, this side lot placement is acceptable (Exhibit 13). See photos and buildings/lots plan of other garages in area, Exhibits 3 and 12. The short macadam driveway will be extended with gravel to access the garage. Footings have been found at the end of the existing driveway indicating that there was a garage at one time.

Neighbor's Concerns. At the time of this writing, a neighbor has expressed concerns regarding the garage dormers affecting his property and privacy. That e-mail and accompanying photos are attached as Exhibits 17.

Conclusion. Staff recommends **approval of AFP-05-014** finding it in compliance with Section 24-163 (accessory structures) and Sections 24-170 and 171.

AMENDMENT TO FINAL PLAN APPLICATION

In accordance
with Section 24, Article V of the City Code
PLANNING COMMISSION
GAITHERSBURG, MD

Application #	AFP-05-014
Date Filed	3-25-05
Total Fee	350.00 PA-Cash

1. SUBJECT PROPERTY

Project Name Bucheimer Residence
 Street Address 116 James Street
 Zone R-90 Historic area designation ☐ Yes ☒ No
 Lot 9 Block 1 Subdivision Observatory Heights
 Tax Identification Number (MUST BE FILLED IN) 00 841252

2. APPLICANT

Name Michael Bucheimer & Christine Donati
 Street Address 116 James Street Suite No. _____
 City Gaithersburg, MD State MD Zip Code 20877
 Daytime Telephone (240) 793-2544 - cell Michael Bucheimer
(301) 977-8551

3. ARCHITECT/ENGINEER/DEVELOPER

Architect's Name _____ Telephone _____
 Architect's Maryland Registration Number N/A Suite Number _____
 Street Address _____ State _____ Zip Code _____
 City _____

Engineer's Name _____ Telephone _____
 Engineer's Maryland Registration Number N/A Suite Number _____
 Street Address _____ State _____ Zip Code _____
 City _____

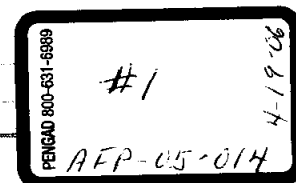
~~Developer's Name~~ _____ Telephone _____
 Street Address _____ Suite Number _____
 City _____ State _____ Zip Code _____
 Contact Person _____ Telephone _____

4. PROPERTY OWNER

Name Michael Bucheimer & Christine Donati
 Street Address 116 James Street Suite No. _____
 City Gaithersburg, MD State MD Zip Code 20877
 Daytime Telephone (301) 977-8551 - Home
(240) 793-2544 - cell Michael Bucheimer

5. CITY PROJECT NUMBER

Original Site Plan Number _____ Date Approved _____
 Name of previously approved Final Plan _____



X 6. WORK DESCRIPTION

Please state clearly changes requested from final approved plan.

Two car garage with storage space above. Detached from house.

Size 24' X 26' 7" - Height - ~~10'~~ 22' 6"

7. PROJECT DETAIL INFORMATION

a. POPULATION CHANGES (if any)

Changes in population estimated due to amendment.

Employee estimate: Total number

Resident estimate: Total number

Total number per shift

Total number per dwelling unit

b. PLEASE SUPPLY THE FOLLOWING INFORMATION

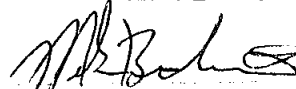
DEVELOPMENT INFORMATION		REQUIRED	PROVIDED
1. Site (square feet)			
2. Site Area (acres)			
3. Total Number of Dwelling Units/Lots			
4. Height of Tallest Building			
5. Green Area (square feet)			
6. Number of Dwelling Units/Acre			
7. Lot Coverage (Percent)			
8. Green Area (Percent)			
9. Residential			
a. Single Family Detached	# Units		
b. Single Family Attached	# Units		
c. Multi-Family Condo	# Units		
d. Multi-Family Apartment	# Units		
e. Other			
10. Retail/Commercial	Sq. Ft.		
11. Restaurant Class: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C	Sq. Ft.		
12. Office/Professional	Sq. Ft.		
13. Warehouse/Storage	Sq. Ft.		
14. Parking			
15. Shared Parking/Waiver			
16. Other			
17. Total			

SUBMISSION REQUIREMENTS

- Set of plans per the respective checklist. Plans must be folded to 8 1/2 x 11."
- Completion of the table above.

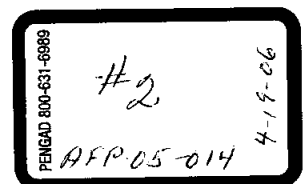
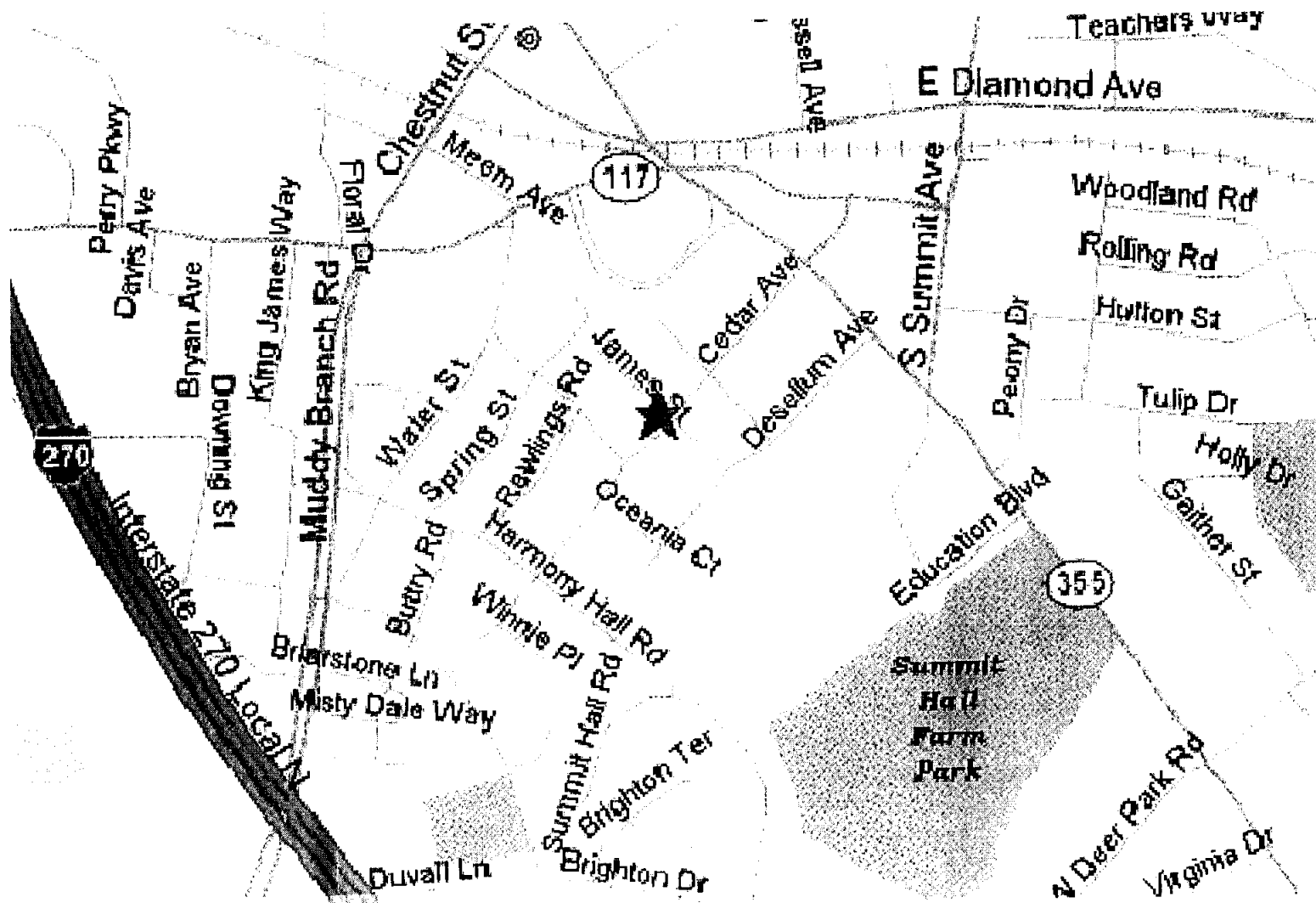
I have read and complied with the submission requirements and affirm that all statements contained herein are true and correct.

Applicant's Name (please print) Michael Buchheimer & Christine Donati

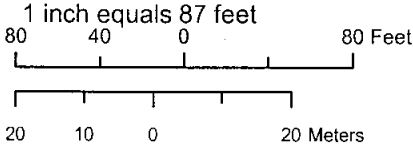
Applicant's Signature  & Christine Donati Date 03-25-05

Daytime Telephone (240) 793-2544 cell Michael Buchheimer House (301) 977-8551

Location Map 116 James Street



116 James Street



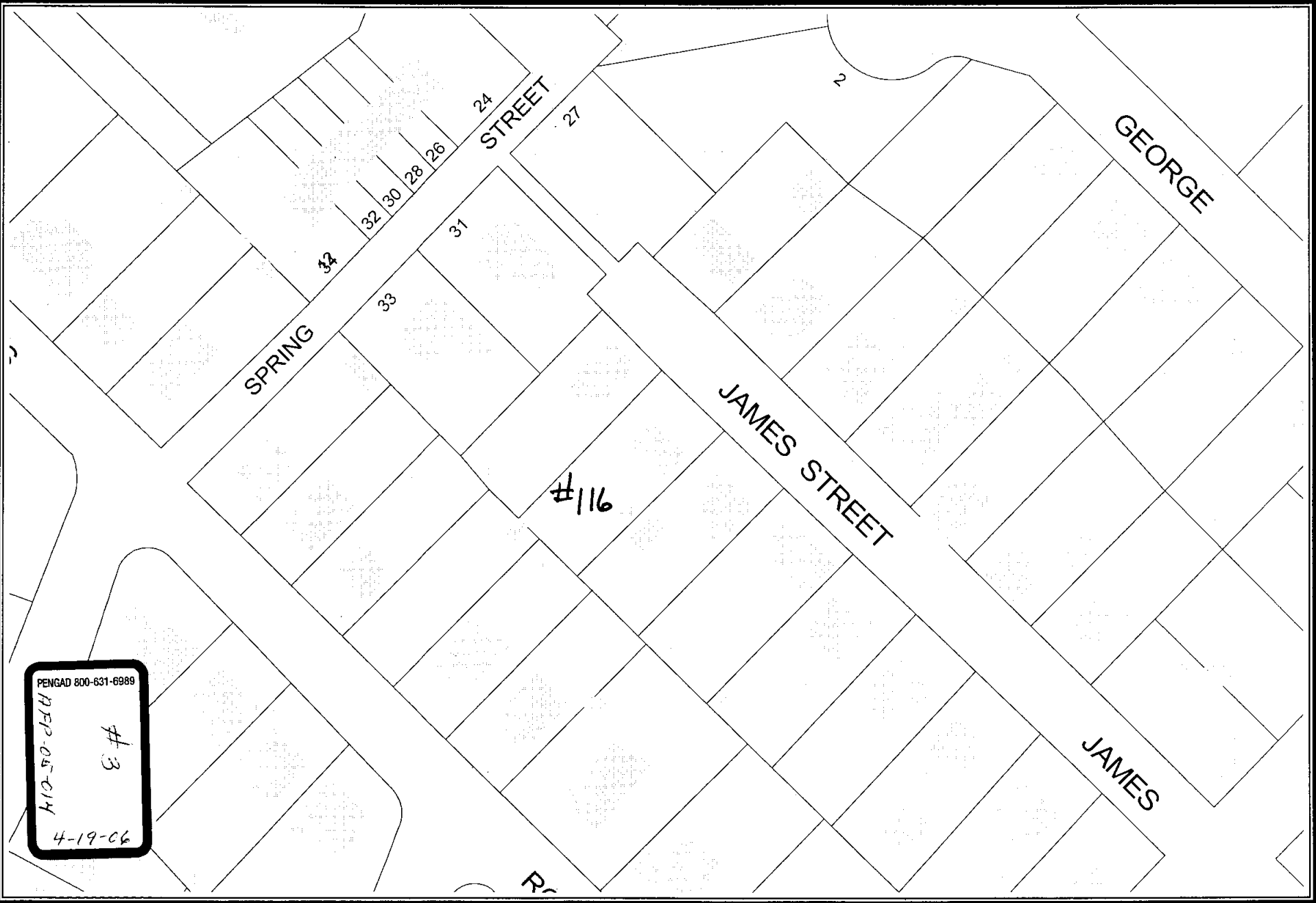
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www.istar.com Property boundaries and planimetric basemap © 2006 M-NCPPC and
City of Gaithersburg. All rights reserved. Aerial photo acquired March 2004.



City of Gaithersburg
Planning and Code Admin
31 S Summit Ave
Gaithersburg, MD 20877
(301) 258-6330
www.gaithersburgmd.gov

ProjectName.mxd • 11-Jan-2006 • zzz

The City of Gaithersburg makes no warranty, express or implied, for the completeness and
accuracy of the information depicted on this map. This map may not be reproduced, in whole or
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10

139.25

9

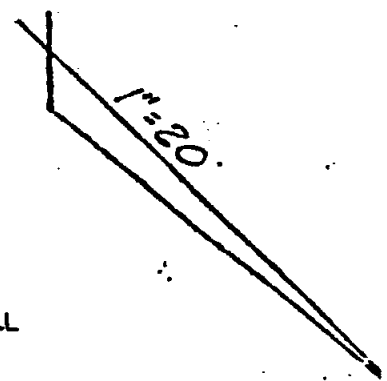
139.25

8

24'
S 40° 37' 15" W

N 40° 37' 15" E

S 40° 22' 45" E 60.00



30' B.R.L.

180' to cor Spring St.

8,355

DRIVEWAY CR#6

4.0
8.0
8.2
17.0
Frame Deck Steps

1 story Frame w/bsmt #116

Conc S/S Covered

11.0
Mod. Dr

NOTES: Not in flood plain as per 240000-0004
Not to be used for construction.
Lot corners have not been set by this survey unless otherwise indicated.

JAMES STREET

I hereby certify that I have carefully located the improvements as shown hereon in accordance with recorded property description, and that there are no encroachments except as indicated.

[Signature]
WESSON COOK, JR.
Registered Professional Land Surveyor Maryland 8144

LIGHT, ELLIOTT & ASSOCIATES
ENGINEERS, PLANNERS, SURVEYORS
8506 ADELPHI BLVD
ADELPHI, MARYLAND 20783
422-6080

HOUSE LOCATION SURVEY

Lot	Block	Section
#4		

4-19-06
AFP 65014
Election District
County, Maryland

Book 287.7
Job no. 3000
Ck. by
Comm. no. 2222

Plot Book
File

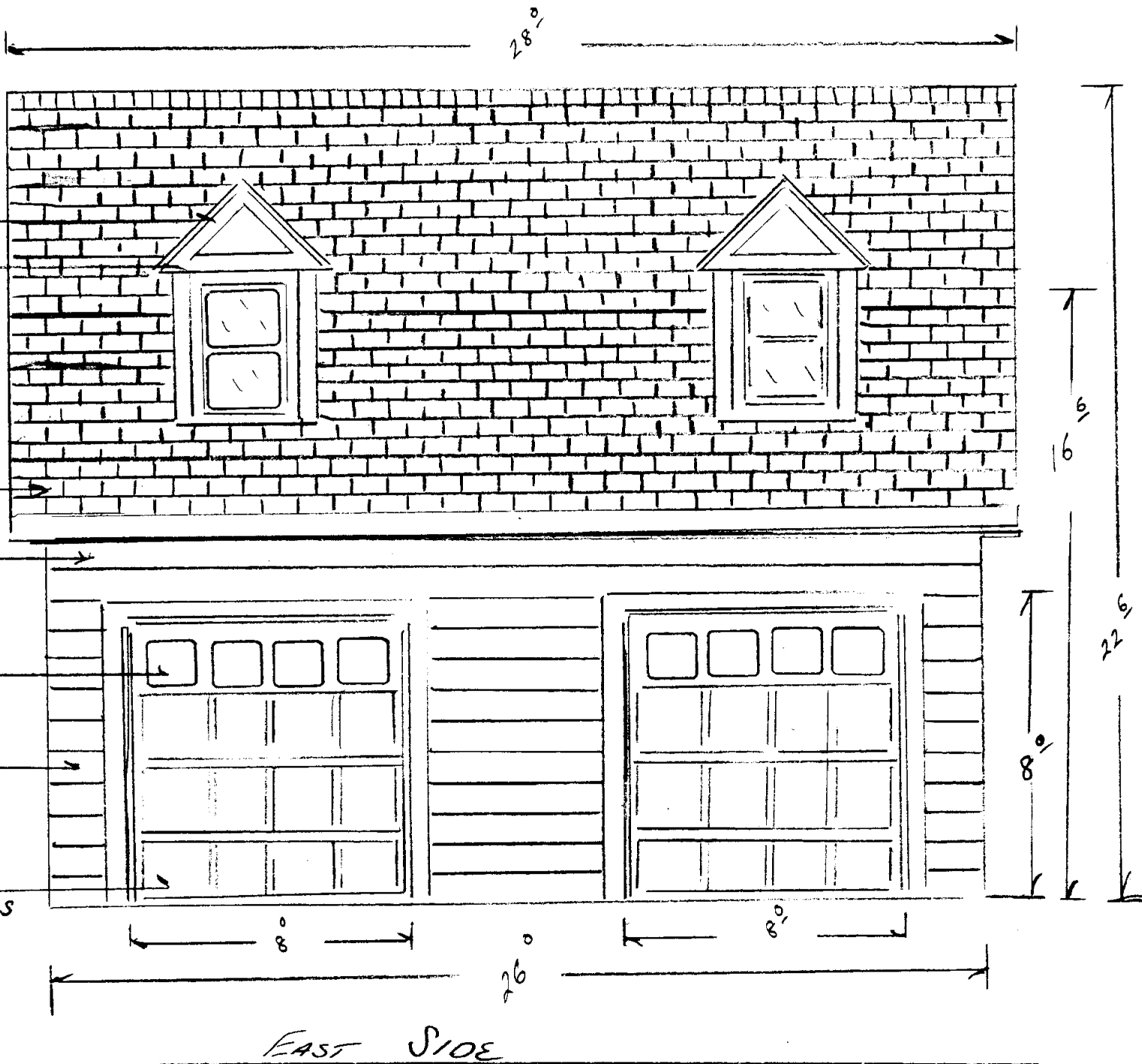
RAKE TRIM
1 X 4 TRIM
BOARD

THREE TAB
SHINGLE
FREEZE BOARD

FOUR LITE

VINYL SIDING

METAL GARAGE
DOORS



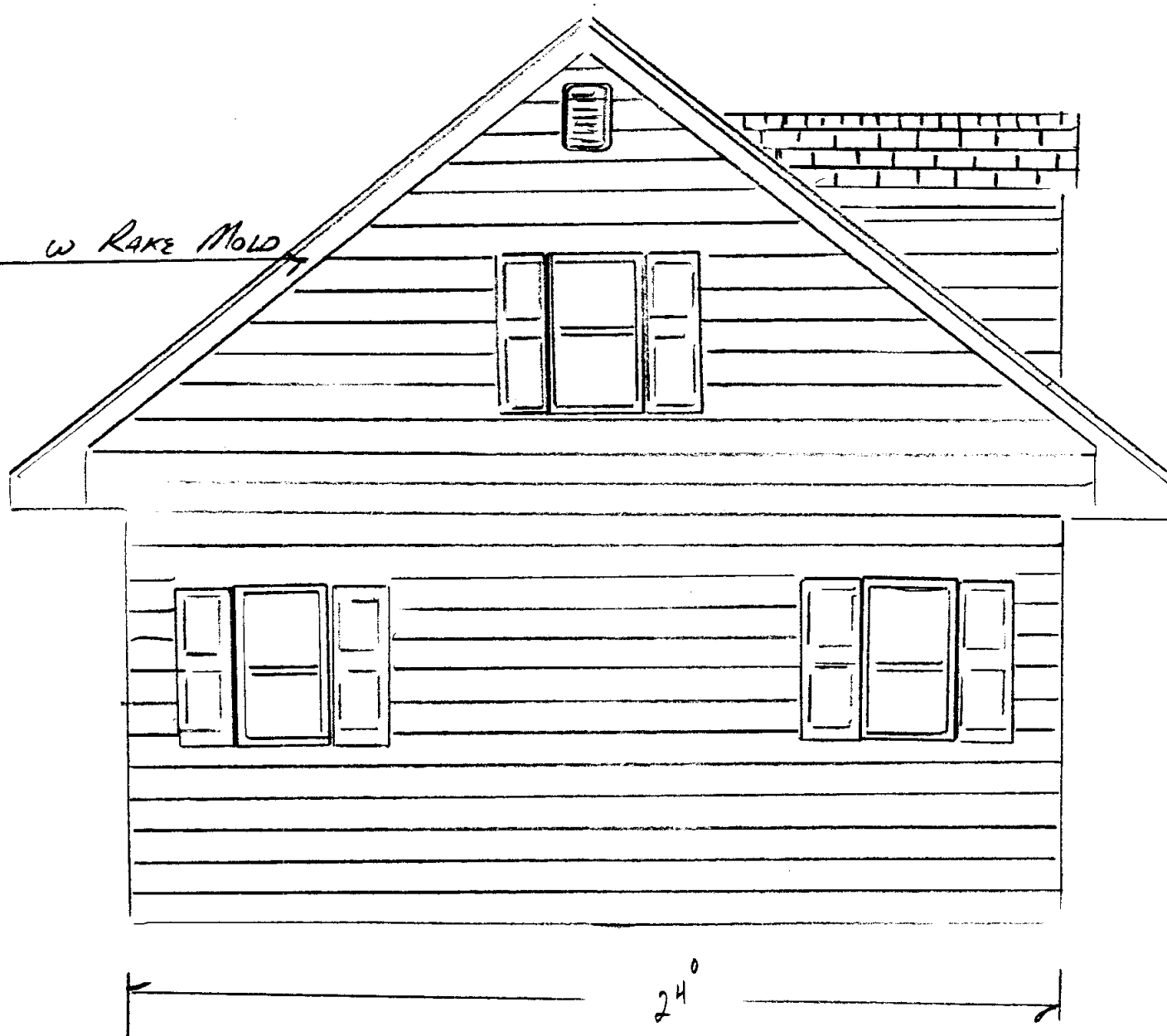
PENGAD 800-631-6989

APP-05-014

#5

4-19-06

1x INCH RAKE W RAKE MOULD



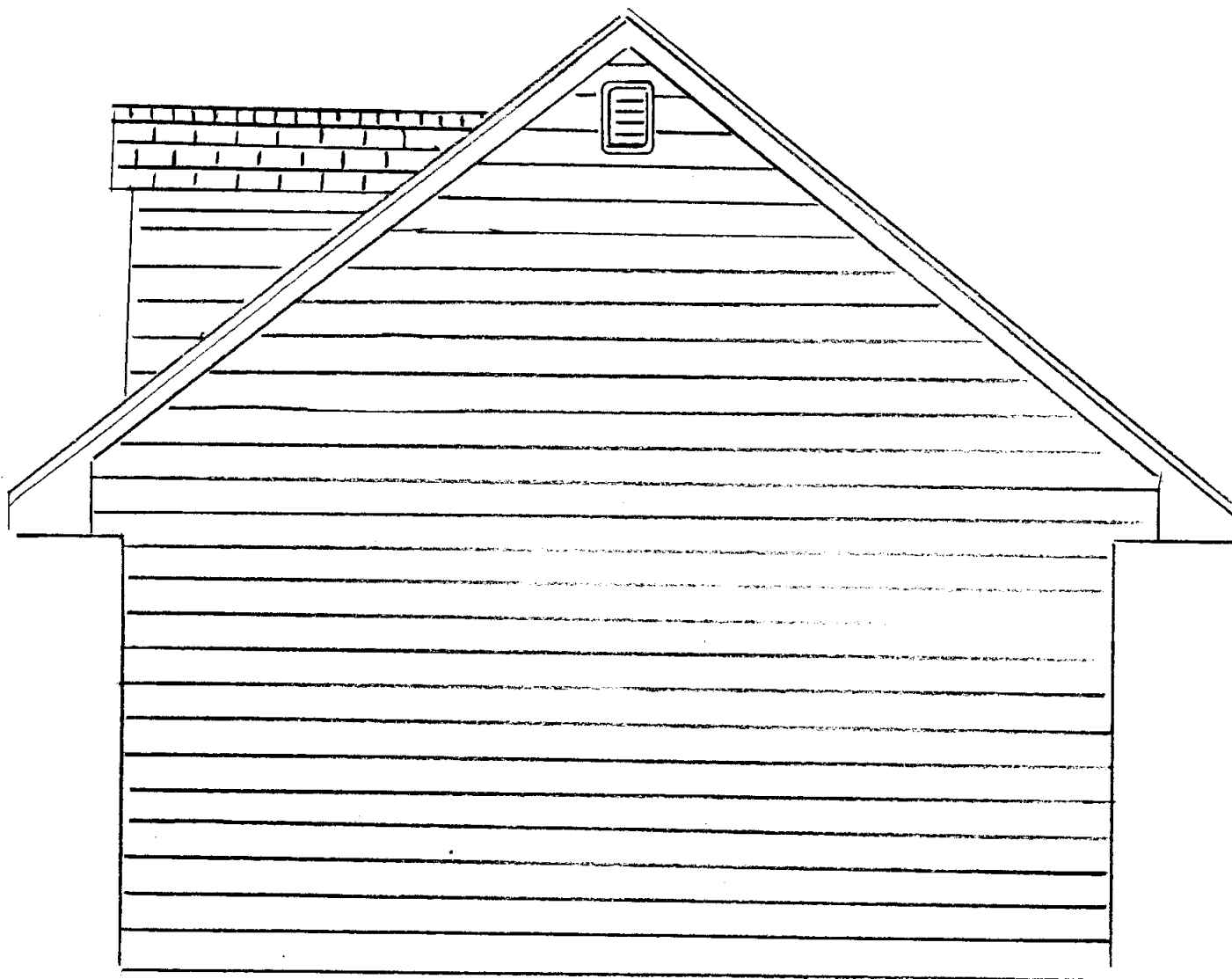
SOUTH SIDE

PENGAD 800-631-6989

0770-05-014

#6

4-19-06



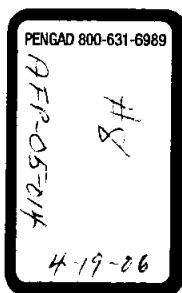
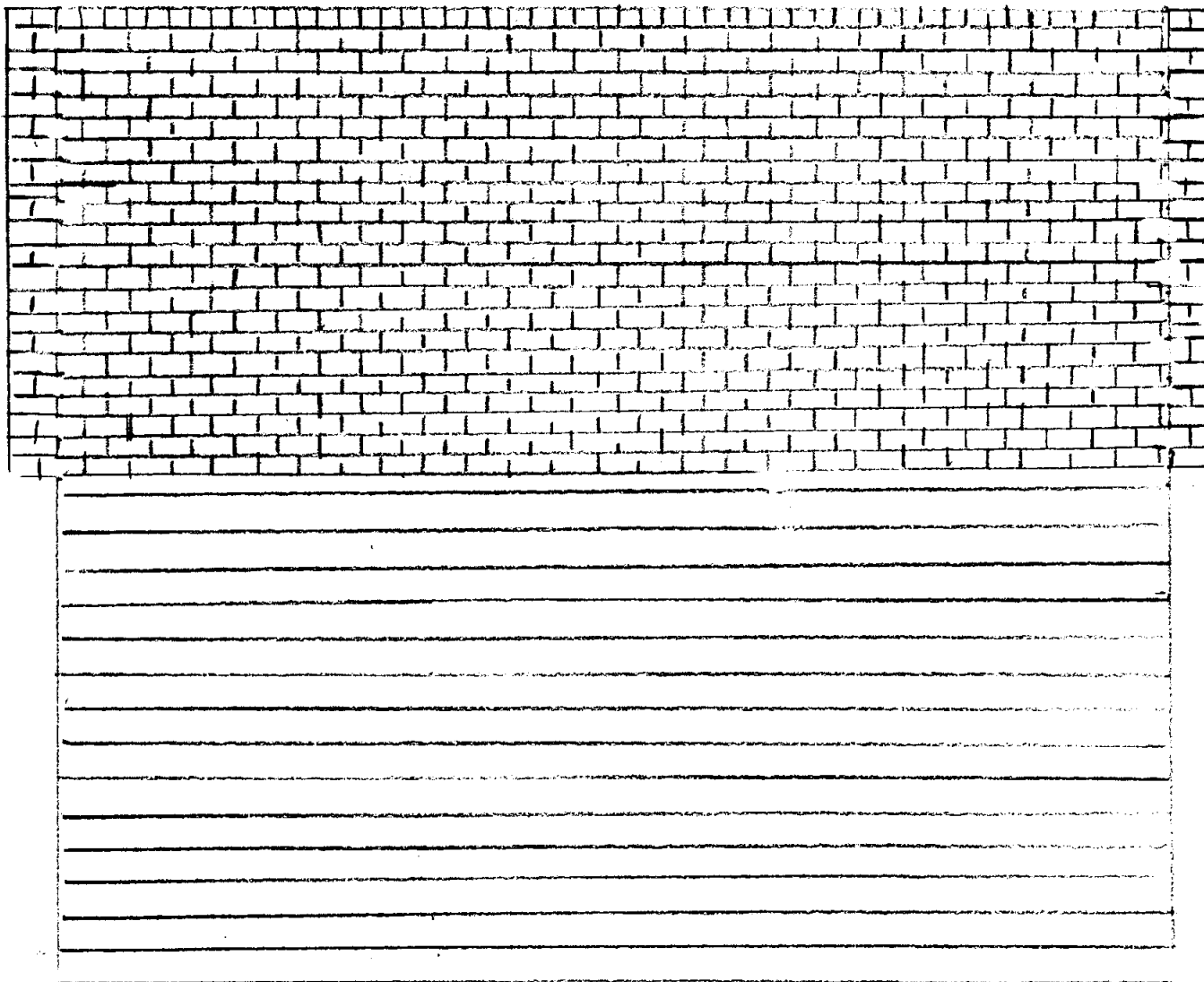
NORTH SIDE

PENGAD 800-631-6989

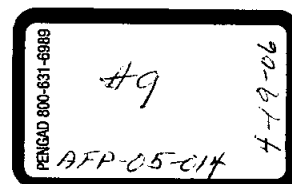
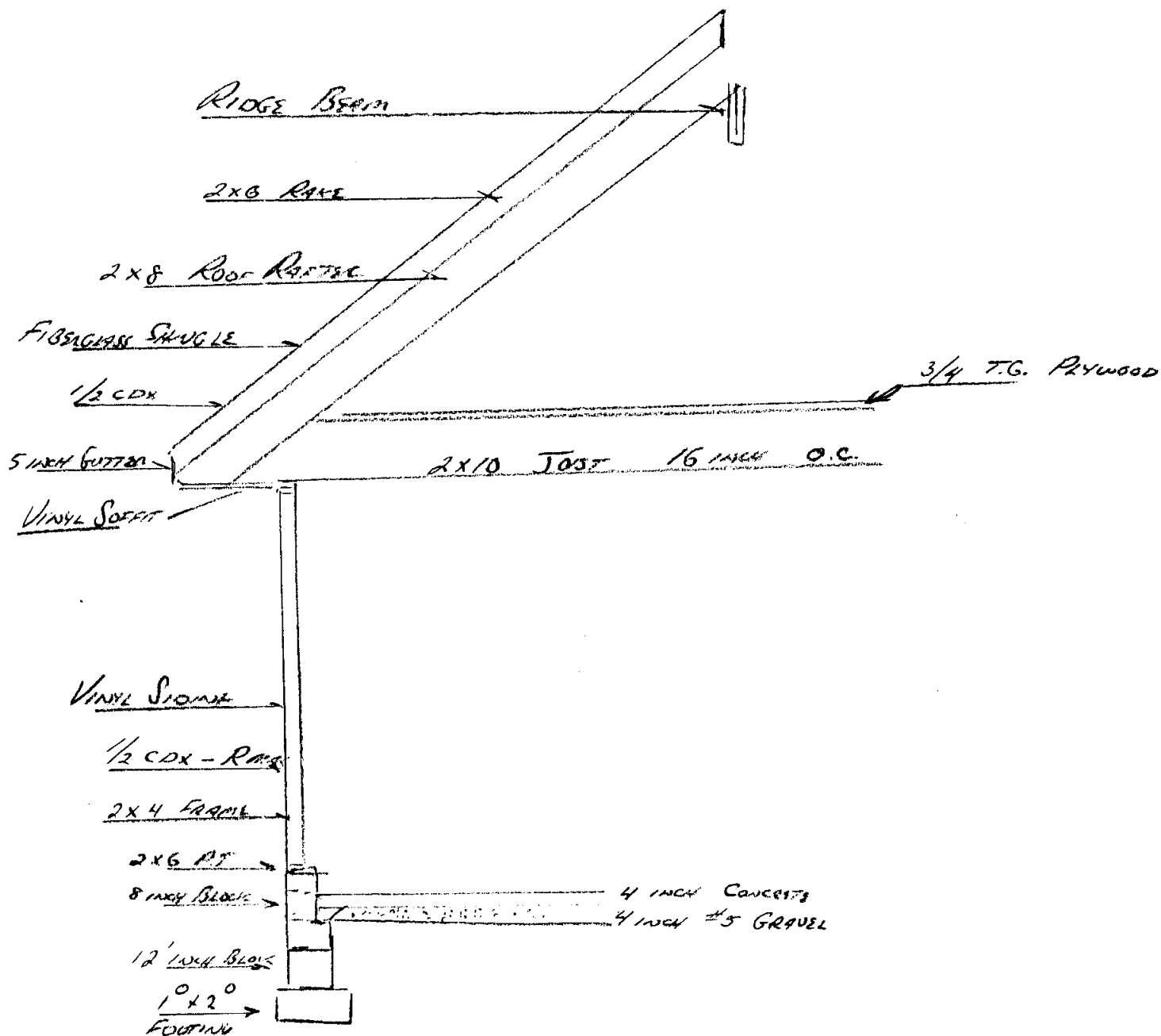
125P-05-014

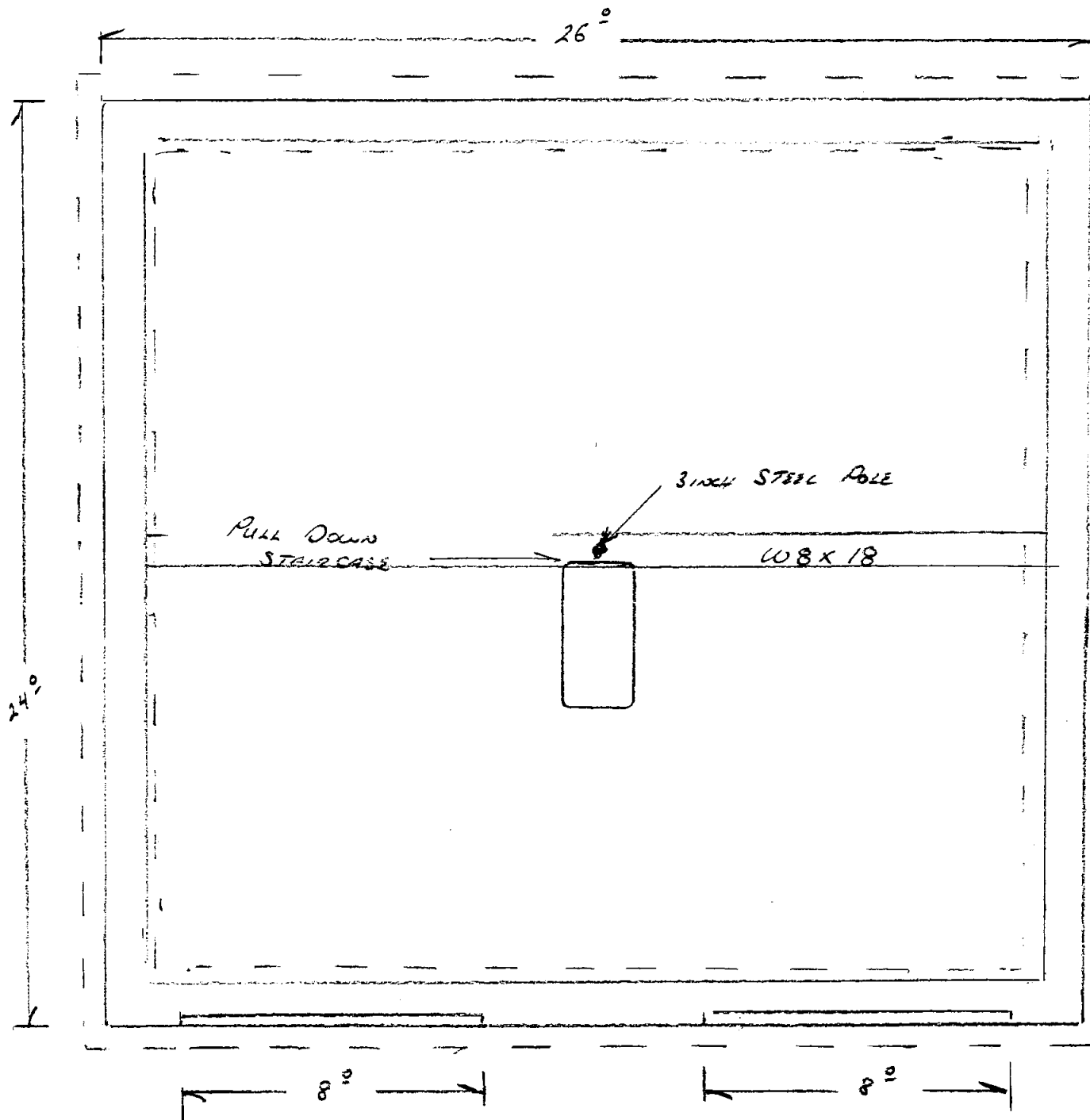
#7

4-19-06



WEST SIDE





PENGAD 800-631-6989

AFIP-05-014

Q1/#

4-19-06



PENGAD 800-631-6988
#11A
AFP-05014
4/19-06

116 James St.



PENGAD 800-631-6889
#11B
AFP-05-014
4-19-06

116 James St.



PENGLAD 800-631-6989
#12A
1AFP-05-014
90-61-4

Example of garage



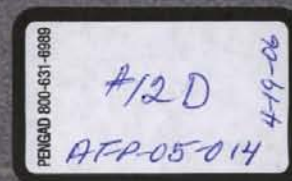
PERMAD 800-631-6969
#12B
AFR05-014
4-19-06

Example of garage



PENGAD 800-631-6969
#12C
AFP-05-014
4-19-06

Example of garage



Example of garage

Sec. 24-163. Accessory structures and garages.

(a) *Accessory structures.* Any accessory structure, as defined in section 24-1, with the exception of a garage, shall be located only in the rear yard. The total ground area of all accessory structures shall occupy no more than twenty-five (25) percent of the rear yard. Except for fences, on all residentially-zoned land accessory structures less than one hundred forty-four (144) square feet of floor area shall not be less than three (3) feet from any lot line unless allowed by a specific zone. Accessory structures one hundred forty-four (144) square feet of floor area or greater shall not be less than ten (10) feet from any side or rear lot line. In cases where an accessory structure, enclosure, coop or run or any part thereof is used for the housing, shelter or sale of animals or fowl, other than a household pet, said structure shall be at least twenty-five (25) feet from any side or rear lot line and at least seventy-five (75) feet from any existing dwelling on an adjoining lot, except for fences on all residentially-zoned land. The footprint of an accessory structure must not be larger than fifty (50) percent of the footprint of the primary structure, except garages as noted in section 24-163(b), nor can the height exceed fifteen (15) feet, unless approved by the planning commission.

→ (b) *Garages, as accessory structures in residential zones:* ←

- (1) Garages, as accessory structures, are those that are detached structures or attached to the main house only by a breezeway.
- (2) Garages shall not be less than ten (10) feet from any side or rear lot line.
- (3) Garages may also be located in any front or side yard area, and/or in a setback restriction area when they are part of a comprehensive design theme for a subdivision and are shown on an approved site development plan.
- (4) The footprint of the garage must not exceed fifty (50) percent of the footprint of the primary structure or a standard size two-car garage not to exceed five hundred seventy-six (576) square feet, whichever is greater, nor must the height exceed fifteen (15) feet unless approved by the planning commission. In lots created prior to October 14, 1958, garages may be located not less than two (2) feet from the property line if this is consistent with the design of the neighborhood.

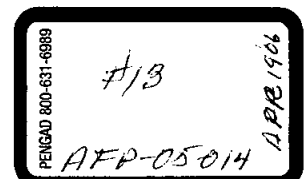
(c) These restrictions do not apply to schematic development plans, final site plans or other plans for an approved residential community in the MXD (Mixed Use Development) Zone. (Ord. No. O-2-65, Art. 3, § 2; Ord. No. O-1-87, 1-20-87; Ord. No. O-5-04, 1-20-04)

Sec. 24-164. Number of main structures on one lot.

In the R-A and R-90 Zones, not more than one single-family dwelling shall be permitted on any one lot.
(Ord. No. O-2-65, art. 3, § 2; Ord. No. O-6-78, § 1)

Sec. 24-165. Certain structures excluded from height control.

The building and structure height limits set forth in this chapter shall not apply to belfries, chimneys, cupolas, domes, flagpoles, flues, monuments, spires, tanks, water towers, water



Motion was made by Member Drzyzgula, seconded by Member Moyer, to hold the record open indefinitely.

VOTE: 5-0

In summary, the applicants were asked to provide a proposed parking plan with dimensions; a tree protection plan along with documentation of what the plan entails; and proposed alternate driveway material.

3. HAWP-43E Applicants: Christoph and Elizabeth Witzgall
Continued 20 Walker Avenue
Request: Roof modifications

Planner Patula advised that the applicant has submitted a revised drawing (entered into the record as Exhibit 31) and was seeking additional guidance.

Mr. Christoph Witzgall, applicant, provided a roof modification drawing with both symmetrical and a-symmetrical dormer views. The drawings include possible dormer positions of which he preferred that the dormers be setback and not visible from the street. Chairperson Arkin noted that on Exhibit 31, Alternative C seems to be the least objectionable from the front and side yard, but that there was a problem with the window treatment and height as seen from the rear. Member Drzyzgula added that it would be more acceptable if the new roof could be differentiated from the old and that different roof types be used.

It was suggested that a work session be scheduled to discuss and work out options and issues with regard to the roof. Mr. Witzgall agreed to this plan and to the record being held open.

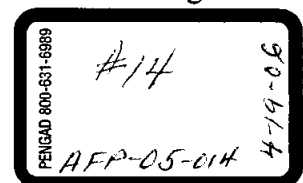
→ III. COURTESY REVIEW/RECOMMENDATION TO PLANNING COMMISSION ←

Applicant: Michael Bucheimer
116 James Street
Request: New garage

Planner Patula stated that the applicant, whose home is located within Observatory Heights, is requesting to build a garage higher than the 15 feet allowed by City Code. He will need to go before the Planning Commission for approval and is seeking assistance with the design. Staff has already recommended that the proposed exterior stairs be placed inside the garage.

Mr. Michael Bucheimer, applicant, said he has considered a Dutch roof so as to not tower over the house or a steeper barn-style roof. Chairperson Arkin asked the intended use for the garage to which Mr. Bucheimer explained it would be entirely for storage. *Ms. Christine Denotti, co-applicant*, reiterated that the space would be used for storage as the small house does not provide for sufficient storage.

In response to questioning, Senior Plans Examiner Greg Dennison suggested that the stairs could be placed on the interior of the space and that a Dutch roof would possibly give the building the



appearance of not looking as high. Member Lyter also suggested that the building could be extended deeper and the stairs could be added to the interior rear wall of the building. Member Drzyzgula said that with a Dutch roof or steeper roof, the ceiling height would be less along the sides but the center height should provide sufficient space.

Member Lyter expressed concern that without the use of windows there would be a large amount of siding or large wall without any elements to break it up. She suggested that the applicant consider a decorative or barn-style type door that would add a nice visual effect. Member Drzyzgula also suggested windows be used on the first floor rather than the second to help break up the solid wall mass.

Mr. Warren Johnson, 104 Chestnut Street, suggested the applicant widen the building to allow for pull down steps in the interior of the building.

The applicant agreed to return with revised drawings.

IV. APPROVAL OF MINUTES

Member Drzyzgula made several minor changes to the minutes.

Motion was made by Member Drzyzgula, seconded by Member Lyter, that the minutes of the March 3, 2005, Historic Preservation Advisory Committee meeting be approved, as corrected.

VOTE: 3-0-2 (Abstained: Cannistra and Moyer)

THE HISTORIC PRESERVATION ADVISORY COMMITTEE
TOOK A SHORT RECESS AT 9:25 P.M.
IT RECONVENED AT 9:34 P.M.

V. RECOMMENDATION TO MAYOR AND COUNCIL: OLDE TOWNE MASTER PLAN

Fred Felton, Assistant City Manager, Greg Ossont, Planning and Code Administration Director, and Mark Depoe, Long Range Planning Director, reviewed the Olde Towne Master Plan with the committee and asked for recommendations as to which properties should be retained, redeveloped and which properties are historic in nature. Staff will summarize HPAC's recommendations as a separate report with detailed information regarding this review.

DRAFT

CITY OF GAITHERSBURG
31 South Summit Avenue
Gaithersburg, Maryland 20877

**MINUTES OF THE
HISTORIC PRESERVATION ADVISORY COMMITTEE
APRIL 6, 2006**

II. COURTESY REVIEW

Applicant: Michael Bucheimer
116 James Street
New Garage

Planner Patricia Patula reminded members that the applicant appeared before HPAC a year ago with a previous design for his property which is located within Observatory Heights. With suggestions from HPAC, he has re-worked the plans and submitted a formal application to the Planning Commission with a slightly larger garage that is bigger than can be granted by right.

Mr. Michael Bucheimer, applicant, said that the garage will be located in the rear yard and will be used for a workshop and for storage with pull-down interior steps. He said that the garage is one foot six inches higher and two feet wider than originally proposed.

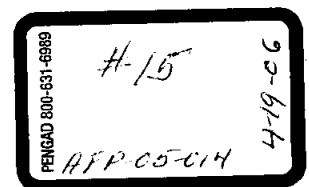
Chairperson Arkin noted that the scale of the new garage is more in keeping with the house and neighborhood but would like to see additional windows on the two blank facades. Mr. Bucheimer explained that the right side faces a fence providing an opportunity for break-ins and also that his neighbor preferred that he not install a window for privacy purposes. Regarding the rear of the building, a window would be blocked by the existing six-foot privacy fence. Member Coratola commented that the dormers should have the same rafter overhangs as on the main house. Mr. Arkin also suggested that the left facade be trimmed out with a decorative trim board or band board to break up the mass of the garage.

Regarding materials, Mr. Bucheimer said he will be using vinyl siding and new plastic shutters to match the house and the driveway will be entirely graveled. *Ms. Christine Donati, co-applicant*, added that the shingles are the same as those on the main the house and that the garage door design had not been decided upon yet. Member Bernstein inquired if the tree to the rear of the property was going to be removed to which Mr. Bucheimer answered that Neighborhood Services has yet to determine ownership of the tree.

Member Drzyzgula summarized the suggestions from the committee which included:

1. Put a roof overhang on the dormers in the same style as on the main house
2. Add return trim board or band board to break up the massing of the structure

Planner Patula will submit a memorandum from HPAC to the Planning Commission in support of the application.



AFP-05-014

116 James St.

NELSON ETRUST LAYMAN
19321 FREDERICK RD
GERMANTOWN MD 20876

OCCUPANT
7 MILLS RD
GAITHERSBURG MD 20877

OCCUPANT
9 MILLS RD
GAITHERSBURG MD 20877

OCCUPANT
11 MILLS RD
GAITHERSBURG MD 20877

OCCUPANT
15 MILLS RD
GAITHERSBURG MD 20877

OCCUPANT
17 MILLS RD
GAITHERSBURG MD 20877

OCCUPANT
21 MILLS RD
GAITHERSBURG MD 20877

OCCUPANT
106 JAMES ST
GAITHERSBURG MD 20877

OCCUPANT
110 JAMES ST
GAITHERSBURG MD 20877

OCCUPANT
112 JAMES ST
GAITHERSBURG MD 20877

OCCUPANT
114 JAMES ST
GAITHERSBURG MD 20877

OCCUPANT
116 JAMES ST
GAITHERSBURG MD 20877

OCCUPANT
118 JAMES ST
GAITHERSBURG MD 20877

OCCUPANT
19 MILLS RD
GAITHERSBURG MD 20877

OCCUPANT
10 MILLS RD
GAITHERSBURG MD 20877

OCCUPANT
8 MILLS RD
GAITHERSBURG MD 20877

OCCUPANT
12 MILLS RD
GAITHERSBURG MD 20877

OCCUPANT
110 GEORGE ST
GAITHERSBURG MD 20877

OCCUPANT
108 GEORGE ST
GAITHERSBURG MD 20877

OCCUPANT
33 SPRING ST
GAITHERSBURG MD 20877

OCCUPANT
107 JAMES ST
GAITHERSBURG MD 20877

OCCUPANT
111 JAMES ST
GAITHERSBURG MD 20877

OCCUPANT
115 JAMES ST
GAITHERSBURG MD 20877

OCCUPANT
105 JAMES ST
GAITHERSBURG MD 20877

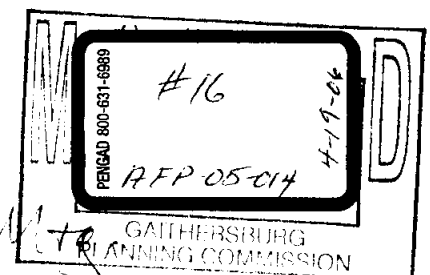
OCCUPANT
109 JAMES ST
GAITHERSBURG MD 20877

OCCUPANT
113 JAMES ST
GAITHERSBURG MD 20877

PAUL GTRUST IRWIN
14004 CROSSLAND LN
DARNESTOWN MD 20878

PETER & MARGARET A ZABRISKI
9508 WHITE PILLAR TER
GAITHERSBURG MD 20882

WILLIAM P ANDERSON
9120 EDGEWOOD DR
GAITHERSBURG MD 20877



tent. Agenda for 19-Apr-06 PC Mtg

Patricia Patula - regarding the 2-car garage

From: "Burton Nicodemus" <burton@aspb.org>
To: <ppatula@gaithersburgmd.gov>
Date: 04/12/2006 1:03 PM
Subject: regarding the 2-car garage

Thanks for all your good advice. I just had a long friendly chat with Mike Bucheimer about his 2-car garage, and my concerns about the dormer windows. We're going to get together some time this weekend to take a closer look at how the dormers might affect my privacy - especially in my sunroom. He seems sympathetic to my concerns, and would seriously consider removing the dormers if the City would agree to it. Mike suggested that I should come to next week's meeting - and I agreed.

I've enclosed three photos. They are -

- 1) Looking into my sunroom from the approximate angle of the proposed garage.
- 2) Looking out of my sunroom at where the garage would be.
- 3) Another angle of the sunroom, showing both my and Mike's houses.

I agree that Mike's garage would be more attractive with the dormers, but I think losing my privacy would be an unfair cost for me to bear. I want Mike to have his garage, and I hope the City would agree that it's worth sacrificing a certain degree of attractiveness (the dormers) in order to preserve my privacy. I can't express how important privacy is to me. Thanks for your help with everything!

Burton Nicodemus
118 James Street
Gaithersburg, MD 20877
home: 240-631-1647
cell: 301-335-0557

